

# WASHINGTON STATE DEPARTMENT OF HEALTH OCCUPATIONAL THERAPY PRACTICE BOARD PUBLIC MEETING / RULES WORKSHOP MINUTES

January 28, 2005

Prime Hotel-SeaTac Airport, 18118 International Blvd, Seattle, WA 98188

On January 28, 2005, the Occupational Therapy Practice Board met at the Prime Hotel SeaTac Airport, 18118 International Blvd, Seattle, WA 98188. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

## **MEMBERS PRESENT**

WENDY HOLMES, OT, CHAIR  
CATHERINE WHITING, OT, VICE CHAIR  
D. JILL PETRIE, COTA  
MARK LEHNER, OT  
JOHN BORAH, PUBLIC MEMBER

## **STAFF PRESENT**

KRIS WAIDELY, PROGRAM MANAGER  
JENNIFER BRESSI, PROGRAM MANAGER  
JOY KING, EXECUTIVE DIRECTOR  
GAIL YU, AAG ADVISOR  
PETER HARRIS, STAFF ATTORNEY

## **Friday January 28, 2005 – 9:05 AM – OPEN SESSION**

### **1. CALL TO ORDER**

- 1.1 Approval of Agenda  
Agenda approved as presented.
- 1.2 Approval of Meeting Minutes from December 9, 2004.  
Minutes approved as presented

- 2. BOARD ELECTIONS** – The Board nominated and elected 2005 Chair and Vice-Chair. Wendy gave a brief summary of what the Board chair responsibilities are and Catherine provided a summary of the responsibilities of the vice-chair. Mark Lehner was nominated and the board voted to approve Mark as Chair. Jill Petrie was nominated and the board voted to approve Jill as vice-chair.

- 3. BOARD DELEGATION** – The Board approved and signed the board delegation form with all items approved to delegate appropriately.

- 4. BOARD TRAINING** – The Board discussed various items and processes they would like specific training on. The Board will receive training regarding the legal process (disciplinary cases, rules, open meeting practice acts, ethics, etc). Gail Yu, AAG, and Peter Harris, staff attorney will provide this training at the next Board meeting. This training will possibly take up to 3 hours of time. Mark Lehner and

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Jennifer Bressi will work on scheduling a meeting to handle closed session items on March 31, 2005 to possibly start at 7:00 p.m. This will allow the 3 hour presentation the next day. Peter Harris, staff attorney, Gail Yu, AAG, and Joy King, Executive Director provided the Board with a brief description of how unlicensed cases are handled through the unlicensed practice unit. More detailed training could be provided at a future meeting. The Board would also like to receive specific training on how cases are handled from beginning to end (the entire process and behind the scenes detailed). It was also mentioned if other Board's would be interested in holding a joint meeting so they can discuss similar issues (scope of practice) of concern between the different professions. Wendy will check with Tri-Alliance and Catherine will check with WOTA to see if they have any handouts or materials available on these issues.

5. **CONTINUING EDUCATION AUDIT CASES DISCUSSION** – The department is presenting a change to current procedures for handling cases of non-compliance of continuing education audits. Joy King provided the Board a description of the way CE Audit cases are currently being handled and presented the department's proposal to change the way CE audits are being handled. The Board received an explanation of how this proposal will change the way CE audits regarding non-compliance are being handled. The Board did not make any decisions regarding adopting the proposal. The department draft is not final and the department will report back to the Board once the draft is finalized for presentation.
6. **PROGRAM REPORT** – Information provided to the Board by the Program Manager
  - 6.1 **Organizational Changes** - Jennifer introduced Joy King as the new Executive Director for Section 3. Staff recently moved physically to a new location within the Point Plaza East building. Within Section 3 we created a new case management unit. Josh Shipe was hired as the new Case Management Unit manager. Jennifer and Kris completed the interviews for the vacant Office Assistant Senior (OAS) position, when the position was offered to the most qualified candidate she declined. Her current employer offered her a promotion. There is a temporary OAS that is currently assisting the program. Section 3 is also looking into creating a credentialing unit. This has not happened yet. More on this topic later. Jennifer informed the Board of when their appointment terms will expire and informed Board members whether or not they are eligible to reapply for reappointment. Jennifer also explained how the recruitment process will be handled.
  - 6.2 **Budget Update** – Travel expense is overspent. In previous years the OT Board did not meet as frequently as they have been recently. The budget was built based on the needs of the past which is making the travel budget go over. Joy described how the budget is developed the allotment vs. revenue. We hope the future budget projections will take care of the over budget issues.

**6.3 Legislative Update** - The department does not have any legislation specific to OT. Catherine informed the Board regarding Washington Education Association of Teachers and WOTA's GLAC proposing new legislation that counts years of experience vs. years of school employment to determine salaries. Currently, they are only counting experience for time served in the school district and not the overall work experience of the OT. The department informed the Board that legislation regarding the 2004 Campbell bill will be re-introduced. The bill is different then last year.

**6.4 Planning for Upcoming Meetings** – The following items were discussed for future meetings.

- Plan attending the WOTA Conference @ the Red Lion Yakima Conference Center on October 21<sup>st</sup> and 22<sup>nd</sup>, 2005.
- Plan a conference call for closed session items in between the June and October meetings if needed.
- Plan training sessions for the Board for each upcoming meeting.
- Rule Writing.
- Inform the Board when NBCOT announces their annual conference.

**6.5 Provided for the Board's Information** – The following items were provided to the Board of information only.

- Memo from Bonnie King, HPQA Director
- NBCOT announces Eligibility Criteria for Occupational Therapist Registered OTR Candidates effective December 31, 2006
- NBCOT announces Election Results and Bylaw Revisions
- NBCOT Report to the Profession, Fall 2004 Newsletter

**7. CORRESPONDENCE** – The Board received a copy of the letter that was provided to Ms. Baum and Mr. Hatcher for their information only. It was mentioned that the footnote was left off of the original letter. The Board would like Jennifer to add the footnote and resend the letter.

**8. THE AMERICAN OCCUPATIONAL THERAPY ASSOCIATION, INC (AOTA)** – The Board discussed the AOTA Model State Regulation for Supervision, Roles, and Responsibilities during the Delivery of Occupational Therapy Services. The Board provided responses to the review form. Jennifer will compile the responses and send to Mark for final approval.

**CLOSED SESSION SCHEDULED FOR 2:30 PM - MOVED THIS ITEM UP TO 11:20 A.M.**

**9. REVIEW OF APPLICATIONS -**  
**Applicant A** - Approved pending social security number.

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**Applicant B** - Approved pending social security number and NBCOT passing score.

**Applicant C** - Approved pending social security number, and passing examination scores.

**Applicant D** - Approved pending social security number.

**Applicant E** - Approved pending social security number and passing examination scores.

**Applicant Z** - Re-entry plan reviewed and approved (did not need to present this applicant because it's only the plan, Board chair has delegation).

**10. DISCIPLINARY CASE REVIEW –**

**Case 2004-12-0001OT** - Closed - No jurisdiction

**Case 2004-12-0002OT** - Issue Notice of Correction (NOC)

**11. CONTINUING EDUCATION AUDITS -**

Board members reviewed CE audits for compliance.

**Rules Workshop - Drafting Session 1:00 PM - OPEN SESSION**

**12. STATUS UPDATE OF RULES PROCESS** - Jennifer Bressi provided the status of:

12.1 WAC 246-847-170 - Code of Ethics, Proposed final language was approved at the August 6, 2004 meeting. Appropriate department forms were completed and the proposed rule is in the process of preparing for a public rules hearing. Group discussion determined that item number 12 should be reworded due to OTA's do not establish, review or revise client treatment without OT consultation/collaboration. Draft language available upon request.

12.2 WAC 246-847-190 - Aids Education & Training, currently waiting for significant analysis and small business economic impact statement to be completed. Draft language available upon request.

12.3 WAC 246-847-210 – Sexual Misconduct, currently waiting for significant analysis and small business economic impact statement to be completed. Draft language available upon request.

12.4 WAC 246-847-120 – Foreign Trained Applicants, currently waiting for significant analysis and small business economic impact statement to be completed. Draft language available upon request.

**13. RULE WRITING**

13.1 WAC 246-847-010 – Definitions, all references to occupational therapy (OT) practitioner was replaced with occupational therapist and occupational therapy assistant (OTA). In some instances OT practitioner was listed when only the occupational therapist should have been listed, paragraph 2(b), 2(d), and 3.

This WAC will go back to the April 1, 2005 meeting to review paragraph 1(d).  
Draft language available upon request.

13.2 WAC 246-847-065 - Continuing Competency, item number 13 was rewritten to be clearer, maximum hours were placed on items number 9, 11, and 13. Further clarification was added to item number 6. The Board approves the draft language as drafted. Draft language available upon request.

13.3 WAC 246-847-080 – Examinations, no current changes were made and the board approved the draft language as currently drafted. Draft language available upon request.

13.4 WAC 246-847-115 - Limited Permits, paragraph 1 the deletion of “applicant takes the first examination...” statement. National exams are on demand and this statement no longer applies. The Board approves the draft language as drafted. Draft language available upon request.

Draft language will be sent to the Occupational Therapy Practice Board interested parties list for comment.

## **CLOSED SESSION REENTERED AT 3:40PM**

14. **CONTINUING EDUCATION AUDITS –**  
Board members reviewed CE audits for compliance.

CE audit N - open case and send to ISU

15. **ADJOURNMENT** - The meeting was adjourned at 3:55 p.m.

Respectfully submitted:

Approved:

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Kris Waidely  
Program Manager

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Mark Lehner, OT, Chair  
Occupational Therapy Practice Board